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Pursuant to 37 C.F.R. § 1.8 and 1.6(d), I hereby certify that I have information and a reasonable basis for belief that this paper will be transmitted by facsimile to (703) 872-9306 on November 1, 2004.

Signature

Date _____

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Mashayekhi et al.

Serial No.: 09/927,047

Filed: August 9, 2001

Invention: Failover System and Method for Cluster Environment

www.pearsoned.com

Group No.: 2114

Examiner: Bryce P. Bonzo

RESPONSE TO OFFICE ACTION MAILED JUNE 30, 2004

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

In response to the Office Action mailed June 30, 2004, Applicants submit this response and respectfully request reconsideration of the examiner's objections and rejections.

Petition for Extension of Time:

Applicants petition for a one-month extension of time under 37 C.F.R. § 1.136 up to and including November 1, 2004. Applicants note that November 1, 2004 is the first business day following October 30, 2004, which was a Saturday. Applicants hereby authorize and instruct the U.S. Patent and Trademark Office to charge Deposit Account No. 02-0383 (matter 016295.0672) of Baker Botts L.L.P. in the amount of \$110.00 for a one-month extension of time.

HOU01:996460.1

Applicants hereby authorize the U.S. Patent and Trademark Office to charge Deposit Account No. 02-0383 (matter 016295.0672) of Baker Botts L.L.P. for any other charges necessary for the filing of this response.